

CMP Feedback

Dear Members of the Grand Rapids Planning Commission,

I am writing to you as an engaged small infill developer to point out a conflict that exists in the current CMP Draft. In recommendation 1.C.1 you say that you wish to encourage modifications for new or substantially remodeled housing units that improve access for people with limited mobility. You list at least one zero-step entrance as one of the three criteria for making a house “visitable”.

However, in your design guidelines beginning on page 106, your top three *all* include language to the effect of “maintaining consistent setbacks” and “providing setbacks consistent with the immediate context”. These conflicting goals cause tension. I believe it would be beneficial to resolve this tension now and clarify the language used to rewrite our zoning ordinances.

In my most recent development project, I was forced to raise the entire property 12” to meet both the required building line (a term that could be better defined as very few understand what it is, but essentially takes the place of the front yard setback) *and* allow enough slope to hit the city sewer without needing to install a lift station. This had the effect of making the units *less* visitable.

My recommendation is to change the language in the draft master plan and explicitly call for either eliminating or relaxing/shrinking required setbacks. Removing or reducing the RBL or front yard setback would help eliminate the conflict between creating visitable properties and having enough slope to hit our sanitary sewers using gravity. Additionally, bringing homes closer to the street will make for a more walkable neighborhood and allow more room in the backyard for ADUs.

Eliminating or reducing side yard setbacks will help support the recent zoning amendments approved unanimously by both you and the City Commission that allow more density by right on streets that support them. Of particular note is the fact that in a TN-LDR zone district, the sideyard setbacks are currently 5’ per side but the *total* must be equal to 14’. Thus far, nobody in the Planning Department or local government has been able to provide a good reason as to why this arbitrary number was set nor why it should be preserved.

Over the last decade, I’ve been building homes that will likely outlive me and everyone on both the Planning and City Commissions. Unfortunately, they are all sub-optimal due to the archaic setback requirements established two decades ago. Now is our time to correct this remnant and allow our buildings to be built *for* future generations instead of being circumscribed by decisions of the past.

I’ve included a real-world example in Addendum A: I’m currently building a duplex in the Third Ward with frontage of 44’ and depth of 124’. The 27’ RBL translates into an 18’ front yard setback. The rear yard setback is 25’. The 14’ combined sideyard setbacks mean that on my 5456 sq ft lot, the *buildable square footage* is just 30’x81’. That’s 2430 square feet or just 45% of the zoned space. Assuming this is representative, **a simple zoning change could more than double Grand Rapids’ buildable residential square footage**. Since the public feedback overwhelmingly supported infill, it seems reasonable to also provide the space to comfortably allow this density to be built. But if that’s too drastic, even a small change like reducing the combined sideyard setbacks to 10’ instead of 14’ would

increase the buildable square footage by 5% and allow for more comfortable housing units. Because I'm building a side-by-side duplex, 30' of buildable frontage means that each unit will be just shy of 15'. An additional 2' per side would make a drastic difference in how pleasant these units will be to live in. To highlight the absurdity of requiring such large setbacks, the commercial building next door is built almost directly on the lot line indicating this type of development pattern was the traditional pattern up until the previous zoning code was implemented. I would encourage us to return to that traditional patterns instead of forcing the next generation of builders and developers to build less optimal housing only to comply with an arbitrary number.

I'm also unsure where this strong desire to maintain current setbacks came from. I attended and participated in all three of the CMP Community Engagement events and never once were setbacks mentioned nor feedback solicited on them. I also downloaded all the public comments and searched for "setbacks". There were only 4 mentions of them: 3 explicitly asking for them to be eliminated or reduced and 1 mentioning the belief that they were important specifically for developments around the river. Conversely, affordable housing was mentioned overwhelmingly. And because reduced setbacks help increase supply, this seems like one of the easiest avenues from which to attack it.

The current setback requirements, which mandate minimum distances between buildings and property lines, are increasingly at odds with the pressing needs and evolving vision of our city. Eliminating these setbacks would significantly benefit our community in several key ways.

1. Promoting Urban Density and Sustainability

One of the most compelling arguments for eliminating building setbacks is the promotion of urban density. As our city continues to grow, it is crucial that we use our available land as efficiently as possible. Setbacks, by design, create wasted space that could otherwise be utilized for housing, businesses, or green spaces. By allowing buildings to be constructed closer to property lines, we can encourage denser development, which in turn supports more efficient public transportation, reduces reliance on cars, and contributes to lower carbon emissions. This approach aligns with the city's sustainability goals and helps combat the ongoing climate crisis.

2. Enhancing Economic Development

Removing setback requirements would also foster economic development. By maximizing the use of available land, builders can create more usable square footage within a given plot, potentially leading to more affordable housing options and increased commercial space. This could attract new businesses and residents to Grand Rapids, boosting the local economy. Moreover, the ability to build right up to property lines could encourage innovative architectural designs and mixed-use developments, further enriching the city's landscape.

3. Supporting a Walkable, Vibrant Community

Setbacks often lead to gaps in the urban fabric, creating areas that are less inviting and less conducive to pedestrian traffic. In contrast, eliminating setbacks can help create a more cohesive and walkable streetscape, where buildings are closer to sidewalks and public spaces. This proximity can enhance the vibrancy of our neighborhoods, making them more attractive for walking, biking, and social interactions.

The increased foot traffic would benefit local businesses, contributing to a more lively and economically thriving community.

4. Aligning with Historic Urban Patterns

Historically, many of the most beloved neighborhoods in Grand Rapids and other cities were built without the setbacks we see today. These areas, characterized by their tight-knit buildings and lively streetscapes, offer a sense of place and community that modern developments often lack. By eliminating setbacks, we can return to a more traditional urban form that has proven successful in creating vibrant, livable neighborhoods.

5. Increasing our City's Tax Base

Because property taxes largely weighted on the structure built on a property instead of the land it's built on, reducing setbacks makes fiscal sense; a larger building will cost more and thus have a higher taxable value. A 5%-55% increase in property taxes would allow for many additional amenities for our city, and all it takes is a decision on your part to change a few lines of text to get the ball rolling.

6. Increasing Flexibility for Property Owners

Lastly, removing setback requirements would give property owners more flexibility in how they use their land. This increased freedom could lead to more creative and innovative uses of space, as property owners are no longer constrained by arbitrary distance requirements. It could also reduce the regulatory burden on developers, making it easier to bring new projects to fruition and encouraging more investment in our city.

In conclusion, the elimination of building setbacks offers numerous benefits, from promoting urban density and sustainability to enhancing economic development and community vibrancy. I urge the Grand Rapids Planning Commission and CMP Managers to consider tweaking the CMP draft to be slightly more forward-thinking so we take a step toward a more efficient, sustainable, and livable city. Paris, Vienna, and NYC all work well without any setbacks. Surely, we can take a few steps in that direction too.

Thank you for your time and consideration.

Sincerely,
Nathan Biller

Addendum A - Sample Lot Showing Buildable Space vs. Zoned Space.

The light red section is the extra 4' of sideyard setback required above 5' on each side.

